

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

In Re: CATERPILLAR, INC., C13
AND C15 ENGINE PRODUCTS
LIABILITY LITIGATION

HONORABLE JEROME B. SIMANDLE

MDL No. 2540

Master Docket No.
1:14-cv-3722 (JBS-JS)

ORDER

This matter comes before the Court on Defendant Caterpillar Inc.'s motion for reconsideration [Docket Item 181] of the Court's July 29, 2015 Opinion and Order [Docket Items 178 & 179] denying Defendant's motion to dismiss for federal preemption; and the Court noting that the parties have advised that they are nearing a class-wide settlement agreement; and the Court noting that on December 15, 2015, the undersigned entered an Order temporarily staying this MDL action and directing counsel to report the status of this case by January 12, 2016 [Docket Item 208]; and that report is now more than two months overdue; and for good cause shown;

IT IS this 21st day of March, 2016, hereby ORDERED that Defendant's motion for reconsideration [Docket Item 181] shall be, and hereby is, DISMISSED without prejudice to Defendant's right to renew should the parties not reach a settlement; and

IT IS FURTHER ORDERED that counsel shall jointly report to the undersigned regarding the status of the case on or before April 5, 2016, including an explanation for non-compliance with this Court's Order of December 15, 2015, and also including any motion for preliminary approval of a proposed settlement.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge